

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
) 4:06CR3175
v.)
)
SCOTT HOBSON,)
)
 Defendant.)
)

MEMORANDUM AND ORDER

Counsel appeared in chambers for a status conference this date in accordance Rule 17.1 of the Federal Rules of Criminal Procedure. Counsel informed the court of the status of the case and the matter of trial scheduling was discussed. In addition, counsel described the case's complexity which, because of a number of factors, is delaying preparation of the case for trial. Those factors include the number of documents involved (several compact disks), the difficulty of arranging meetings with the defendant's counsel and the investigating officer (who is located in Atlanta, Georgia), the number of transactions involved, the types of transactions involved (bank agricultural loans and refinancings), and the time period over which the transactions occurred (three years). In addition, the defendant's condition, for which he is currently receiving inpatient treatment, has possibly interfered with the normal preparation time needed for a case of this type. From the information provided by counsel, it is clear the case is "unusual or complex" as those terms are utilized in the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and (B)(ii). It would be unreasonable under these circumstances to require counsel to be ready to try the case within seventy days from July 21, 2007, the date to which the time previously consumed has been excluded from the Speedy Trial Act calculation.

I shall meet with counsel again in a month, and at that conference counsel should be prepared to set the matter for trial.

IT THEREFORE HEREBY IS ORDERED,

1. Another status conference is set for September 21, 2007 at 11:00 a.m. in the chambers of the undersigned.

2. Because of the finding that this case is "unusual or complex" within the meaning of the statute, all time in this case is excluded from Speedy Trial Act calculations.

DATED this 21st day of August, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge